

Important Elements of Information to understand the Conflict.

A short History of the Howe Ranch and the Early Dinosaur Discoveries.

The Howe Ranch is a small piece of private property (1600 acres) on the western slopes of the Big Horn Mountains in Wyoming USA.

In the year 1932, the famous «dinosaur hunter» Barnum Brown working for the American Museum of Natural History in New York City started an excavation on Barker Howe's land. The dig quickly proved to be so productive that Brown decided to temporarily stop and come back with a much bigger crew. Two years later Brown received funds by the Sinclair Oil Company and put together a 10 man excavation team. The team remained at the site about 6 months. The site proved to be even richer than Brown first had imagined. It turned out to be the largest dinosaur graveyard in North America known at that time. Hundreds if not thousand of visitors made it to the remote Howe Ranch to see 2500 scattered bones of large Sauropods (Diplodocus) representing at least 25 individuals. The press and radio reporters made it to the site to report about this amazing occurrence of prehistoric animals. An early winter drove the digging crew out. The bones were coated with plaster casts and packed in crates. Most of them were shipped to the American Museum in New York City. Some of them were put in storage at the nearby town of Shell, Wyoming. As nobody picked up the boxes for 30 years, they were put on the city dump as it was believed that the bones had since deteriorated to dust. The bones that made it to New York City did not fare much better than the ones left near Shell. Some were unpacked and prepared and actually put on display such as the neck and head of a juvenile Barosaurus (Diplodocus) which currently can be seen at the American Museum of Natural History. Others were put in storage in the forties. A fire destroyed part of the stored Howe Quarry bones. A few hundreds bones apparently survived the incident.

Between 1936 and 1989 the Howe Dinosaur Quarry, as the site was then known, remained inactive. 1989, three years before the foundation of the Sauriermuseum Aathal, H. J. «Kirby» Siber, the initiator of the Sauriermuseum project, contacted Mr. Press Stephens, the landowner of the Howe Ranch and asked for a lease contract to reopen the Howe Dinosaur site. Stephens, to his surprise, found out that he could not go into a lease arrangement with Siber, since his land title specifically excluded the rights to the fossils: The Fossil Rights were owned by the descendants of the original owner, Barker Howe. (See text of Warranty Deed No.65.) After some negotiations, Siber and the Fossil Right owners signed a lease agreement that gave Siber+Siber Ltd. from Aathal, Switzerland the right to excavate dinosaur bones at the Howe Ranch. This lease agreement has since been renegotiated twice. It has until now lasted 14 years and has been just recently renewed until the year 2011.

In the year 1996, Mr. Stephens sold the Howe Ranch to Dr. Meredith Scott, a heart surgeon from Florida. From what we were told by Mr. Stephens, the new landowner Mr. Scott was made aware at the time of purchase of the land that it did not include the rights to the dinosaur fossils. Mr. Scott made yearly visits to our dig sites at the time of excavation. He showed interest in our work, complemented favorably on it and expressed his approval. Until just very recently he did not express any signs of wanting to dispute our rights to excavate at the Howe Ranch.

Is Dinosaur Digging legal in the USA ?

In the USA private ownership of a piece of land (as a rule) not only includes surface rights. It includes various other rights too, for instance mineral rights, oil rights, coal rights, water rights or grazing rights. These rights can be bought or sold separately from the land. When Barker Howe's widow sold the Howe Ranch property in May 1942 she excluded from the sale certain rights which until today remain in the Howe family. These rights were registered in County Court House on May 16 1942 and read as follows:

«Warranty Deed No. 65. Addie M. Howe, a widow, sells that piece of land situated in the Big Horn County of Wyoming, except the grantor (=seller) hereby reserves unto herself all mineral, and oil rights and all fossil and dinosaur deposits, beds and rights and grantor (=seller) further reserves the rights and privileges to enter upon said lands and develop and use any of said rights herein reserved, and to otherwise develop said rights».

This is the document the Fossil Rights owners, the decendents of Barker and Addie Howe, base their claims on.

The Fossil Right owners have leased these rights to a third party, in this case to Siber+Siber Ltd. Siber+Siber Ltd., therefore has the right to dig and export the fossils to Switzerland. There are no restrictions on the importation or exportation of fossils in the USA.

Digging fossils on public land by private persons or a private company however is not permitted. Special permits can be granted for researchers working for public institutions. Among some of the stipulations: the fossils have to be deposited in a US public repository (museum).

Barker Howe and his Family

Barker Howe got his land (160 acres) through the so called «Homestead Act». In the early part of the last century Wyoming gave away land to any settler who was willing to live on it and work on it for some time. In 1912, Barker Howe became the legal owner of the Howe Ranch including what was in the ground.

The Howe Ranch since the beginning never was a real ranch with cattle. For this purpose it was too small. Barker Howe and his family raised lambs and grew vegetables and fruits in his garden and sold them to the neighbors. The land in the long run, however proved not to be sufficiently productive to support a family. The Howe Ranch has long been abandoned and is uninhabited since the Forties. When Barnum Brown and his crew came to excavate on the Howe Ranch and created such a stir, it was Barker Howe's hope that, near the end of his life (he was 81 years old then and still going strong) he would finally see some results for his perseverance. But when Barnum Brown and his crew left in a hurry in late fall and Howe was still not paid, Howe demanded from Brown a six months salary for his support of the the digging activities. After all, all the participants including Brown got paid for their work, some of them by the Sinclair Oil Company, some by the American Museum. But the American Museum refused to pay Howe saying that the museum has a policy of not paying landowners on whose land it excavate fossils.

Howe felt hurt and infuriated by the answer and took the American Museum to court for not paying a salary. He won, but a mere 145 dollars, instead of the 2500 dollars he had hoped for. It is this event that lead to years of bitterness against powerful public institutions in the Howe family and eventually opened the door 57 years later to a young private institution from Switzerland who was willing to hear the rightful concerns of the fossil right owners.

Digging Dinosaurs at the Howe Ranch and Getting them Ready for Display. Results of the Siber Years Since 1990.

In 1990 the Siber-Team reopened Brown's old Howe Dinosaur Quarry and subsequently opened four new dig sites on the Howe Ranch. Some of the new quarries proved to be very productive. Single bones, partial skeletons and even nearly complete skeletons were discovered (see list of finds on the Saurier Museum's home page). An extraordinary amount of effort was put into both, the excavation, and the preparation of the fossil bones. The excavation which usually lasted 5 to 6 weeks per year was executed by a team of experts and volunteers comprising Swiss, German, Austrian, U.S., Dutch, Belgian and Japanese nationals, together more than 60 individuals, 5 to 15 diggers at a time. Special attention was given to the careful documentation of the finds. The bone preservation at some of the Howe Ranch sites is unsatisfactory as the bones are only minimally replaced by infiltrating minerals. The bone is crushed, broken and fractured even before it is exposed and often does not separate easily from the matrix. Training, special care and a time consuming digging and hardening technique assure that the bones can be safely shipped to the lab where they are further treated to assure their conservation.

Over the 14 years since the Siber-Team was worked a Howe Ranch site some 35'000 hours have been put into the excavation and nearly 100'000 hours into the preparation of the dinosaur bones. The enormous efforts are justified since, as an average, the skeletons at the Howe Ranch occur slightly better articulated (less scattered) than in most of the other sites known from the Jurassic Morrison Formation.

Over the years the Sauriermuseum Aathal has helped to popularize the Howe Ranch dinosaurs through a permanent display at the Sauriermuseum Aathal as well as through temporary exhibits in various parts of the world. A total of over 2,5 million people have been reached so far: in Cologne, Germany (1992, 200'000 visitors), in Lisbon, Portugal (1993, 300'000 visitors), in Neuchatel, Switzerland (1996, 85'000 visitors), in Tokyo, Japan (2001, 1,08 Mio. visitors), Brussels, Belgium (2001/02, 300'000 visitors), in Basel, Switzerland (2001, 85'000 visitors) and at the Sauriermuseum Aathal (1990-2003, 600'000 visitors).

Over the years several scientific and popular publications have appeared which deal either exclusively with topics from the recent Howe Ranch finds or include information deriving from these finds. Several publications are in the planing stage. One doctoral thesis has been submitted (Dr. Iannis Michelis) and another one is in the work (Jacques Ayer). Professor Martin Lockley has published on tracks occuring with the dinosaur bones.

Steven Czerkas has published on Sauropod skin and skin spikes. A bilingual (english-german) book describing the results of the first 8 years of the Siber dig was written by the geologist Jacques Ayer and published by the Sauriermuseum Aathal.

The Landowner's Attack

When Dr. Scott purchased the Howe Ranch he got it as part of two unconnected pieces of land separated by about two miles of public BLM (Bureau of Land Management) land. On the upper portion, in the midst of great mountain scenery, he built a lavish mansion in the western loghouse style. He also considerably enlarged a small existing lake by building a dam. This dam extends onto BLM land for which the doctor did not have permission to build. Further he re-routed the water from the Hudson Falls, for which he has the water rights, in underground pipes, but again without the BLM's approval. In order to avoid problems with the BLM he has now turned his attention the the lower piece of land to which he has no immediate use, but where the dinosaur deposits are. With the help of his attorney he is trying to invalidate the claim of the fossil right owners and this way get into the possession of our (!) dinosaurs. According to what the doctor told Kirby Siber just recently his plan is to swap the Howe Ranch property (including our (!) dinosaurs) to the BLM, for the discharge of his problems at the upper portion of his land. And at the same time he is hoping for a big tax write-off for the donation of the dinosaurs in excess of one million dollars.